

**Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

Final

**AIR QUALITY PERMIT
Issued under 401 KAR 52:020**

Permittee Name: Tokico (USA), Inc.
Mailing Address: 301 Mayde Road, Berea, KY 40403

Source Name: Tokico (USA), Inc.
Mailing Address: 301 Mayde Road
Berea, KY 40403

Source Location: 301 Mayde Road, Kentucky

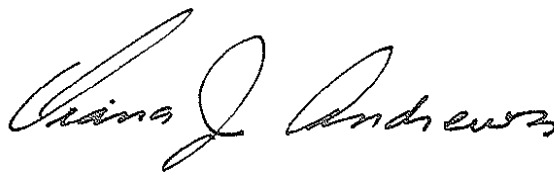
Permit Number: V-03-046 (Revision 2)
Source A. I. #: 2859
Activity #: APE20060003
Review Type: Title V, Construction/Operating
Source ID #: 21-151- 00042

Regional Office: Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, KY 40601-1758
(502) 564-3358

County: Madison

Application
Complete Date: August 18, 1999
Issuance Date: December 21, 2004
Revision Date: January 23, 2007 (Revision 2)
November 30, 2005 (Revision 1)

Expiration Date: December 21, 2009



**John S. Lyons, Director
Division for Air Quality**

TABLE OF CONTENTS

SECTION	DATE OF ISSUANCE	PAGE
A. PERMIT AUTHORIZATION	12/21/2004	1
B. EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS	Revision 2	2
C. INSIGNIFICANT ACTIVITIES	12/21/2004	9
D. SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS	12/21/2004	11
E. SOURCE CONTROL EQUIPMENT OPERATING REQUIREMENTS	12/21/2004	12
F. MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS	12/21/2004	13
G. GENERAL PROVISIONS	Revision 2	16

Rev #	Permit type	Log or Activity#	Complete Date	Issuance Date	Summary of Action
----	Initial Issuance	50840	8/18/1999	12/21/04	
1	Minor Modification	APE20050002	10/12/05	11/30/05	Construction of new Cr plating line
2	Minor Modification	APE20060003	1/23/2007	1/25/200 7	Construction of new Spray Booth

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and received a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

01 Electrostatic Spray Painting Operations

EP01	Electrostatic Spray Booth #1 (1999)
EP02	Electrostatic Spray Booth #2 (2001)
EP16	Electrostatic Spray Booth #3 (2007)

Description: Electrostatic Spray Paint Booths (3) for painting shock absorbers. EP01 and EP16 each have a capacity of 2.5 gal/hr and EP02 has a capacity of 1.3 gal/hr. They are controlled by dry booth filters. The coatings used are water based paints mixed with Tokico Thinner 5050 in a 3:1 ratio.

APPLICABLE REGULATIONS: 401 KAR 59:010, New Process Operations

1. Operating Limitations:

None

2. Emission Limitations:

- Visible emissions shall not equal or exceed 20% opacity
[401 KAR 59:010, Section 3(1)b]
- Particulate emissions shall not equal or exceed 2.34 lbs/hour.
[401 KAR 59:010, Section 3(2)]
- VOC emissions shall not exceed 90 tons per year to preclude 401 KAR 59:225, New miscellaneous metal parts and products surface coating operations as a major source.

Compliance Demonstration Method for PM and Visible Emissions:

These affected facilities are assumed to be in compliance at all times when the equipment is operated in accordance with the manufacturer's specifications and/or standard operating procedures.

3. Testing Requirements:

- Testing shall be conducted at such times as may be required by the cabinet in accordance with 401 KAR 59:005 Section 2(2) and 401 KAR 59:045 Section 4.
- See Section D below.

4. Specific Monitoring Requirements:

See permit Section D and Section 5 (below).

5. Specific Recordkeeping Requirements:

The following record shall be maintained for a period of 5 years:

- 12-month rolling total VOC emissions (tons/yr), calculated by:

$$V = \frac{\sum_{m=1}^{12} \left(\sum_{i=1}^I (C \cdot x \cdot f)_i \right)_m}{2000}$$

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Where:

V = Rolling 12 month VOC total, tons

m = number of the month

i = Compound containing VOC

C = Monthly usage of a compound I containing VOC in gallons

x = fraction of VOC in compound i

f = appropriate conversion factor for units in pounds/gallon

- b. Monthly coating usage (gallons)
- c. All purchase information for materials containing VOC shall be made available for inspection upon the request of any duly authorized representative of the Kentucky Division of Air Quality.

6. Specific Reporting Requirements:

See Section F below.

8. Specific Control Equipment Operating Conditions:

- a. Booth filters shall be in place during all periods of operation.
- b. Maintenance shall be conducted in accordance with manufacturer recommendations.
- c. Maintenance log of filters shall be kept for a period of 5 years.

8. Alternate Operating Scenarios:

None

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**02 Chrome Plating Operations**

EP03	Chrome Plating line (CL1) (1991)
EP04	Chrome Plating line (CL2) (1991)
EP05	Chrome Plating line (CL3) (1992)
EP06	Chrome Plating line (CL4) (1994)
EP15	Chrome Plating line (CL5) (2005)

Description: Each hard chromium plating operation for CL1, CL2, CL3, and CL4 consumes about 1 gallon of chromic acid per hour – number of pieces per hour varies with the size of the part being coated. CL1, CL2, CL3, and CL4 are all manufactured by the Jessup Corporation. Hard chromium plating operation for CL5 consumes approximately 5 gallon of chromic acid per hour – number of pieces per hour varies with the size of the part being coated. CL5 is manufactured by Atotech.

APPLICABLE REGULATIONS: 40 CFR 63 Subpart N- National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks; 401 KAR 59:010, New process operations.

1. Operating Limitations:

- a. The permittee shall prepare an operation and maintenance plan to be implemented at issuance of this permit. This plan is incorporated by reference into this permit. [40 CFR 63.342(f)(3)]
- b. If the operation and maintenance plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction at the time the plan is initially developed, the permittee shall revise the plan within 45 days after such an event occurs. The revised plan shall include procedures for operating and maintaining the process equipment, add-on air pollution control device, or monitoring equipment during similar malfunction events and a program for corrective action for such events.
- c. If actions taken by the permittee during periods of malfunction are inconsistent with the procedures specified in the operation and maintenance plan, the permittee shall record the actions taken for that event and shall report by phone such actions within 2 working days after commencing actions inconsistent with the plan. This report shall be followed by a letter within seven working days after the end of the event, unless the permittee makes alternative reporting arrangements, in advance, with the Division.
- d. The permittee shall keep the written operation and maintenance plan on record after it is developed to be made available for inspection, upon request, by the Division for the life of the affected source or until the source is no longer subject to the provisions of 40 CFR 63 Subpart N.
- e. If the operation and maintenance plan is revised, the permittee shall keep previous versions of the operation and maintenance plan on record to be made available for inspections, upon request, by the Division for a period of 5 years after each revision to the plan.
- f. The requirements for the plan may be met using applicable standard operation procedures (SOP) manuals, Occupational Safety and Health Administration (OSHA) plans, or other existing plans, provided the alternative plans meet the requirements outlined below.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- g. The plan shall include the following elements:
 - i. Operation and maintenance criteria for the affected source, the add-on air pollution control device, and the process and control system monitoring equipment and shall include a standardized checklist to document the operation and maintenance of this equipment;
 - ii. Work practice standards for the control device and monitoring equipment as identified in 40 CFR 63.342 Table 1;
 - iii. Procedures to ensure that equipment or process malfunctions due to poor maintenance or other preventable conditions do not occur; and
 - iv. Systematic procedures for identifying malfunctions of process equipment, add-on air pollution control devices, and process and control system monitoring equipment and for implementing corrective actions to address such malfunctions.
- 2. **Emission Limitations:**
 - a. Chronic Acid emissions shall not exceed 0.015 mg/dscm of ventilation air. [40 CFR 63.342(c)(1)(i)]
Compliance shall be demonstrated by maintaining the pressure drop over the Composite Mesh Pad as established during the initial compliance demonstration.
 - b. The permittee is assumed to be in compliance with particular matter emission standard and opacity. [401KAR 59:010, Section 3]
- 3. **Testing Requirements:**

Testing to determine chromium emissions shall be done in accordance with test methods established in 40 CFR 63.344(c). The permittee should test once per life of Title V permit (5 years).
- 4. **Specific Monitoring Requirements:**

Pressure drop across the composite mesh pad shall be monitored once per day that the affected source is operating. [40 CFR 63.343(c)(1)(ii)]
- 5. **Specific Recordkeeping Requirements:**

The following records shall be maintained for a period of 5 years:

 - a. Inspection and maintenance records for the composite mesh pad scrubber, the affected source and all associated monitoring equipment;
 - b. The occurrence, duration, and cause of each malfunction of the process, mesh-pad scrubber, monitoring equipment, and actions taken;
 - c. Actions taken during periods of malfunction when such actions are inconsistent with the operation and maintenance plan;
 - d. Other records, which may take the form of checklists, necessary to demonstrate consistency with the provisions of operation and maintenance plan;
 - e. Test reports, which document the result of all performance tests;
 - f. All measurements necessary to determine the operating conditions of performance test and monitoring data as required above;

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- g. Monitoring data required by 40 CFR 63.343(c) that are used to demonstrate compliance with the standard including the date and time the data are collected;
- h. The specific identification (i.e., the date and time of commencement and completion) of each period of excess emission, as indicated by monitoring data, that occurs during malfunction of the process, add-on air pollution control, or monitoring equipment;
- i. The specific identification (i.e., the date and time of commencement and completion) of each period of excess emission, as indicated by monitoring data, that occurs during periods other than malfunction of the process, add-on air pollution control, or monitoring equipment;
- j. The total process operating time of the affected source during the reporting period.

6. Specific Reporting Requirements:

The permittee shall submit semi-annually an ongoing compliance status report. The report shall contain the following information:

- a. Company name and address of the affected source;
- b. Identification of the operating parameter that is monitored for compliance tracking determination;
- c. The relevant emission limitation for the affected source, and the operating parameter value, or range of operating parameter values, that correspond to compliance with this emission limitation;
- d. The beginning and ending dates of the reporting period;
- e. A description of the type of process performed in the affected source;
- f. The total operating time of the affected source during the reporting period;
- g. A summary of operating parameter values, including the total duration of excess emissions during the reporting period as indicated by those values, the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to process upsets, control equipment malfunctions, other known causes and unknown causes.
- h. A certification by a responsible official that the work practice standards in 40 CFR 63.342(f) were followed in accordance with the operation and maintenance plan for the source;
- i. If the operation and maintenance plan was not followed, an explanation of the reasons for not following the provisions, an assessment of whether any excess emission and/or parameter monitoring exceedances are believed to have occurred, and a copy of the report(s) required by 40 CFR 63.342(f)(3)(iv) documenting that the operation and maintenance plan was not followed;
- j. A description of any changes in monitoring, processes, or controls since the last reporting period;
- k. The name, title, and signature of the responsible official who is certifying the accuracy of the report; and
- l. The date of the report.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

7. Specific Control Equipment Operating Conditions:

See Section E

8. Alternate Operating Scenarios:

- a. As an alternate method for demonstrating compliance with the emission limitation Tokico may use a wetting agent type or combination wetting agent-type/foam blanket fume suppressant in the electroplating bath.
- b. Compliance under the above alternate control scenario shall be demonstrated by maintaining surface tension below 45 dynes/cm as measured by a stalagmometer or below 35 dynes/cm as measured by a tensiometer.
- c. Surface tension shall be monitored under the following schedule:
 - i. The surface tension shall be measured once every 4 hours for the first 40 hours of operation.
 - ii. Once 40 hours without exceedence has been accomplished at the once every 4 hours schedule, the schedule may be relaxed to measurements once every 8 hours.
 - iii. Once 40 hours without exceedence has been accomplished at the once every 8 hours schedule, the schedule may be relaxed to measurements once every 40 hours.
 - iv. When an exceedence occurs, the schedule must be reset to the 4 hour schedule, and may progress again from there after 40 hours without an exceedence.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

03 Boilers

EP07	Boiler – chrome line – 4 mmBTU/hr (1991)
EP08	Boiler – chrome line – 2 mmBTU/hr (1992)
EP09	Boiler – chrome line – 2.5 mmBTU/hr (1994)
EP10	Boiler – ES1 – 2.5 mmBTU/hr (1999)
EP11	Boiler – ES2 – 2.25 mmBTU/hr (2001)
EP12	Boiler – EC1 – 4 mmBTU/hr (1999)
EP13	Boiler – EC2 – 2 mmBTU/hr (1999)
EP14	Boiler – zinc line – 1.5 mmBTU/hr (2002)

Description:

8 Natural gas-fired units

Total Rated capacity: 20.75 mmBTU/hr

APPLICABLE REGULATIONS: 401 KAR 59:015 – New indirect heat exchangers.

1. Operating Requirements:

Only natural gas shall be used as the fuel.

2. Emission Limitations:

Emissions will be considered in compliance with limitations expressed in 401 KAR 59:015 as long as the condition of the Operating Requirement section, above, is met.

3. Specific Monitoring and Testing Requirements:

The permittee shall monitor the amount of natural gas used on a monthly basis.

4. Specific Recordkeeping Requirements:

The permittee shall keep records of the amount of natural gas used on a monthly basis.

5. Specific Reporting Requirements:

See Section F

6. Specific Control Equipment Operating Conditions:

None

7. Compliance Certification Requirements:

None

8. Alternate Operating Scenarios:

None

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Cooling Towers – 5	401 KAR 59:010
2. 14 direct fired heaters – 1.65 mmBTU/hr	401 KAR 59:010
3. 4 Hand paint touch up stations	401 KAR 59:010
4. Groundwater treatment system	401 KAR 59:010
5. Grinding, lathes, machining	401 KAR 59:010
6. Wastewater treatment – 4	401 KAR 59:010
7. 10 Alkaline Washers	401 KAR 59:010
8. 4 Alkaline Rod Washers	401 KAR 59:010
9. 2 Electrocoat paint lines (alk. Cleaners, Phosphate, rinse conditioner)	401 KAR 59:010
10. 4 Shock oil storage tanks	NA
11. Weld line South STW	401 KAR 59:010
12. Weld line – STW 1-8	401 KAR 59:010
13. 4 Stamping presses	401 KAR 59:010
14. 7 vibratory washers	401 KAR 59:010
15. 14 resistance welders shock assembly	401 KAR 59:010
16. 10 resistance welders sub-shock assembly	401 KAR 59:010
17. 6 arc welders shock sub-assembly	401 KAR 59:010
18. 4 dust/mist collectors	401 KAR 59:010
19: ES-1 pretreatment	401 KAR 59:010

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

20. ES-2 pretreatment	401 KAR 59:010
21. Zinc plating	401 KAR 59:010
22. 4 Blow mold machines	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. PM, VOC, and Chromic acid emissions, as measured by methods referenced in 401 KAR 50:015, Section 1 (when not otherwise specified in the permit) shall not exceed the respective limitations specified herein.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)1 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b(IV) 2 and 1a(8) of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Section 1b (V)1 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall submit written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.6 [Section 1b (V) 3, 4. of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
 - a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, KY 40601-1758

U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.
11. Pursuant to Section VII (3) of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL PROVISIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including but not limited to termination, revocation and reissuance, revision or denial of a permit [Section 1a, 3 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020 Section 26].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a, 6 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Section 1a, 7,8 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a, 14 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a, 4 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a, 15 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a, 10 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3)(b)].
11. This permit does not convey property rights or exclusive privileges [Section 1a, 9 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3)(d)].
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3)(a)].
15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

SECTION G - GENERAL PROVISIONS (CONTINUED)

16. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of issuance. Compliance with the conditions of a permit shall be considered compliance with:
 - a. Applicable requirements that are included and specifically identified in the permit and
 - b. Non-applicable requirements expressly identified in this permit.

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].
2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:020 Section 8(2)].

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

EP16 Electrostatic Spray Booth #3 (EP16) (2007)

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, emission points 16 in accordance with the terms and conditions of this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

1. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
 - a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.
3. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.
4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the Cabinet.
5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance *test* on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. These performance tests must also be conducted in accordance with General Provisions G(d)7 of this permit and the permittee must furnish to the Division for Air Quality's Frankfort Central Office a written report of the results of such performance test
6. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.
7. Pursuant to 401 KAR 50:045 Section 5 in order to demonstrate that a source is capable of complying with a standard at all times, a performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the

SECTION G - GENERAL PROVISIONS (CONTINUED)

average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
 - e. This requirement does not relieve the source of other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

SECTION G - GENERAL PROVISIONS (CONTINUED)

RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.